U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 17, 2020

BY ECF

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

> **Re:**   *United States v. Virgil Griffith*, 20 Cr. 15 (PKC)

Dear Judge Castel:

On behalf of the parties, the Government writes to respectfully request that the Court adjourn the pretrial conference in the above-captioned case, currently scheduled for April 23, 2020, for a period of approximately 30 days. Defense counsel further respectfully requests permission for counsel, and the defendant, to appear telephonically in light of the continuing impact of COVID-19 and the resulting impediments to travel. The Government has no objection to a telephonic appearance for all parties given the circumstances. To accommodate defense counsel on the West Coast, the parties propose that any telephonic conference be held between the hours of 12:00 p.m. to 5:00 p.m. Eastern Standard Time, if possible. All parties are available to appear telephonically during the week of May 18, 2020, should the Court elect to proceed in that manner.

In addition, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), until May 18, 2020 or any alternative pretrial conference date set by the Court. Such an exclusion will allow the parties time to continue to discuss a possible pretrial disposition, the Government to continue to produce discovery, and the defendant to continue to review that discovery. Counsel for the defendant consents to this request as well.

Respectfully submitted,

GEOFFREY S. BERMAN
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Southern District of New York

By: _s/ Kimberly J. Ravener_____
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cc: Brian Klein, Esq., Keri Axel, Esq., and Sean Buckley, Esq. (counsel for Griffith), by ECF